

The Arizona Citizen

TUCSON, PIMA COUNTY

Saturday, February 4, 1871

Proceedings of the Sixth Legislative Assembly of Arizona.

COUNCIL.

EIGHTEENTH DAY, Jan. 28.

After usual opening, the bill relating to crimes and punishments, amending Secs. 59 and 60 of chap. 10 of Code, was favorably reported by judiciary com. and was subsequently passed by a unanimous vote.

Mr Carter from com. on Indian affairs reported on Governor's Special message by a bill entitled—"An Act to authorize the Governor to enlist men to suppress marauders, &c.," and recommended its passage. The bill was read first and second times and referred to com. on Finance.

Town-site bill was referred to com. on counties.

After a short recess, Council met, read and referred several bills, and adjourned.

TWENTIETH DAY, Jan. 30.

After opening, Finance com. reported substitute for bill to enlist men to suppress marauders &c., in substance authorizing the Gov. to enlist not to exceed thirty men at \$30.00 and an officer at \$60.00 per month, and recommended its passage. Subsequently, amendments adopted and bill laid over one day.

Bill to amend Secs. 3, 4, 15, 16, 29, 39 and 40, and to repeal Sec. 41 of an act relating to incorporation of villages, was reported from judiciary com. and afterwards passed unanimously.

Bill relating to personal mortgages reported with amendment and recommendation that it pass as amended.

Bill providing salary for Probate judges reported with amendment by striking out sec. 4 and passage recommended; sec. 4 provided that the judge should be his own clerk. Salaries granted in new bill, that of Pima judge to be \$600.00 per annum, and subsequently recommitted to judiciary com. Adjourned.

TWENTY-FIRST DAY, Jan. 31.

After opening in form, receiving reports of coms. on engrossed and enrolled bills, judiciary, counties and county boundaries, the bill to authorize the Governor to put in the field armed men in certain emergencies, was taken up, and on motion of Mr Carter to strike out 'thirty' and insert 'twenty' (referring to number of men to be enlisted) the vote stood Ayes—Messrs Alsop, Carter, Leon, Marmaduke and Stevens—5. Nays—Messrs Ochoa, Phillips and Mr President—3.

Mr Stevens then moved to strike out "five" and insert "two" (referring to thousands of dollars that may be expended), which was adopted by the same vote as on previous amendment, after which the bill was considered engrossed and unanimously passed.

Amendments of com. to town-site bill were adopted and bill ordered engrossed.

Messrs Ochoa, Stevens and Marmaduke were appointed a com. of conference on bill relating to jurisdiction of justices of the peace.

Mr Carter presented bill to amend chap. 47 of Code on jurors, and chap. 11 on proceedings in criminal cases, which was read and referred to judiciary com.

House bill to regulate costs in criminal actions referred to judiciary com.

A motion to refer House bill on Colorado ferry to com. on Ter'l affairs was lost, and subsequently was referred to special com. of Messrs Phillips, Stevens and Ochoa.

House bill relating to personal mortgages passed by Ayes—Messrs Alsop, Leon, Marmaduke, Ochoa, Phillips, Stevens and Mr President—7. Nays—Mr Carter—1.

House bill relating to Probate judges reported back, and pending its consideration, the Council adjourned.

TWENTY-SECOND DAY, Feb. 1.

After opening, Mr. Carter's absence was excused on account of illness.

Joint com. of conference on House bill relating to jurisdiction of justices of the peace unanimously recommended that the Council recede from its amendments thereto, and on Mr Alsop's motion, the com's report was adopted.

(It will be proper to state here, that the council had previously taken the position that petit larceny is an infamous crime, and could only be constitutionally prosecuted by an indictment of a grand jury, &c., and accordingly amended the aforesaid bill; the House refused to concur; the conference com. followed, and with the above result.—ED. CITIZEN.)

The probate judge bill being the special order, it was amended so as to make the Pima judge's salary \$500.00,

those of Yavapai and Yuma \$300.00 each, and other counties \$200.00; also by prohibiting boards of supervisors from paying the clerk of Probate any per diem, and then passed by Ayes—Messrs Alsop, Leon, Marmaduke, Ochoa, Phillips, Stevens and Mr Speaker—7. Nays—none.

Mr Ochoa moved that a special com. of three be appointed to draft a bill regulating the working of public roads in the Territory, whereupon Messrs Ochoa, Marmaduke and Leon were appointed as such.

House bill regulating precedence of right in administering upon estates of deceased persons read and referred to judiciary com.

Mr Alsop introduced bill to provide for appointment of commissioners of deeds, which was referred to com. on Territorial affairs; also bill to divorce Mary H. Nash from James H. Nash, which was referred to judiciary com. Adjourned.

TWENTY-THIRD DAY, Feb. 2.

After opening, judiciary com. reported favorably upon bills to amend chap. 47 of Code, to divorce Mary H. Nash from James H. Nash, and to amend chap. 29 of Code; and unfavorably upon bill to regulate costs in criminal actions.

Com. on Territorial affairs reported favorably on bill providing for appointment of commissioners of deeds, which was afterwards slightly amended and ordered engrossed.

Mr Phillips from special com. on Colorado ferry bill, reported it with amendment in effect giving Wm. D. Bradshaw and others the exclusive right to operate a ferry for 20 years from Mineral City to a point three miles above, bill laid over until to-morrow.

Bill to authorize the Governor to enlist minute men came up on the question to concur in House amendments, for which see House report.

Council refused to concur in the change from 'twenty' to 'thirty' men, by Ayes—Messrs Marmaduke, Ochoa, Phillips, Mr President—4. Nays—Messrs Alsop, Carter, Leon, Stevens—4; also refused by the same vote to concur in the striking out of 'two' and inserting 'three,' relating to the limit of thousands of dollars for expenses.

Bill relating to town sites passed by Ayes—Messrs Alsop, Carter, Leon, Ochoa, Stevens and Mr President—6. Nays—Messrs Marmaduke and Phillips—2.

Bills to amend chap. 47 of Code, and to divorce Mrs Nash were ordered engrossed.

Bill regulating costs in criminal actions lost by unanimous vote of 8 Nays.

Bill regulating priority of right to administer upon estates of deceased persons passed by Ayes—7, Mr President voting Nay.

Messrs Carter, Ochoa and Stevens were appointed com. of conference on bill for salary of Probate judges, &c.

House bill concerning separate property of the wife, and the custody of minor children in certain cases, on motion of Mr Carter was indefinitely postponed. Adjourned.

TWENTY-FOURTH DAY, Feb. 3.

After opening, Mr Carter introduced bill giving the District Court exclusive jurisdiction of divorce suits, and was afterwards referred to judiciary com.

House bill defining duties &c., of pawnbrokers passed by Ayes—8. Nays—none.

Council bill amending chap. 47 of Code, relating to jurors, and chap. 11 of criminal proceedings passed by Ayes—8. Nays—none.

Council bill regulating appointment of commissioners of Deeds passed by Ayes—8. Nays—none.

Council bill to divorce Mary H. Nash passed by Ayes—Messrs Alsop, Leon, Marmaduke, Stevens and Mr President—5. Nays—Messrs Carter, Ochoa—2. Excused, Mr Phillips.

House bill to divorce Loreta A. Hewitt passed by Ayes—Messrs Alsop, Leon, Marmaduke, Phillips, Stevens and Mr President—6. Nays—Messrs Carter and Ochoa—2.

Adjourned until Monday next.

HOUSE.

EIGHTEENTH DAY, Jan. 28.

After opening, Mr Anderson presented petition of citizens of Pima and Yavapai for a new county.

Judiciary com. reported substitute for bill providing salary for Probate judges, which was subsequently adopted and passed by Ayes—15. Nays—none.

Judiciary com. favorably reported bill on personal mortgages which was afterwards passed by vote of Ayes, 15; Nays—none.

Mr Fitzgerald from com. on Indian affairs, reported on Gov's special message relating to outlaws along the Gila, that a bill on the subject would be introduced in the Council this a. m. and recommended no further action.

Com. on engrossed and enrolled bills made a lengthy report.

Message from Governor was rec'd, announcing his approval of bills fix-

ing terms for holding district courts; for repeal of sec. 41 of chap. 10 of Code; to increase powers of Yavapai Supervisors and Treasurer; concerning witnesses; relating to separate property of married women; concerning constables; for protection of rights of persons prosecuted for crime; an act fixing compensation of members and certain officers of the Legislative assembly.

Petition of Pima and Yavapai citizens for new county was refused for reference to com. on county and county boundaries, by a vote of 5 to 9 and then referred to a com. of five—three from Yavapai and two from Pima, consisting of Messrs Fitzgerald, Mercer, Taylor, Anderson and Smith.

Bill for constructing and maintaining toll roads and bridges taken up and laid on the table.

Bill to create board of registry, referred to com. on judiciary.

Adjourned.

TWENTIETH DAY, Jan. 30.

After opening as usual, Mr Mercer from the com. on roads and ferries reported that the council bill relating to Mojave and Prescott toll-road involved a question of law and that it should be referred to judiciary com. and it was so done; also, the Colorado ferry bill favorably, which was at a later hour passed by a vote of Ayes—15. Nays—none.

Mr Goodwin, from judiciary com. reported substitute for bill regulating costs in criminal actions, and that with reference to Attorney General's report, bills were under consideration to meet his suggestions.

Mr Brinley introduced a bill to amend the act creating and governing the office of public administrator; was thereafter referred to judiciary com.

Mr Anderson being called to the chair, Speaker Dobbins presented a bill concerning insane persons, and organizing a board of control for their benefit and protection, subsequently read and referred to judiciary com.

Mr Speaker resumed the chair, and Mr Romano introduced a bill supplementary to the Code regulating appeals to the Supreme court; afterwards referred to judiciary com.

The substitute bill regulating costs in criminal actions passed by Ayes—16 Nays—none.

Bill providing for constructing and maintaining toll roads and bridges was ordered engrossed as amended.

Bill relating to jurisdiction of justices of the peace was then called up, with Mr Anderson in the chair. The question being—Will the House concur in the Council amendments, the vote thereon stood Ayes—0. Nays—16.

A com. of conference was then requested of the Council, and Messrs Bidwell, Goodwin and Mercer were appointed on part of the House.

After amending personal mortgage bill by inserting an enacting clause, the House adjourned.

TWENTY-FIRST DAY, Jan. 31.

After opening, several coms. reported. Com. on military and Indian affairs, by Mr Fitzgerald, reported that they had considered the Gov's communication regarding distribution of public arms by Col. H. A. Bigelow, and recommended that the expenses of \$120.00 incurred thereby be paid by an appropriation, and both report of com. and that of Col. Bigelow referred to com. on ways and means.

Mr Bidwell introduced bill to divorce Loreta A. Hewitt from bonds of matrimony, which was afterwards referred to judiciary com., and another to amend chap. 29 of Code, of Probate courts, and had the same reference.

Mr Brinley introduced bill to define the duties and liabilities of Pawnbrokers; thereafter referred to judiciary committee.

Bill to construct and maintain toll roads and bridges amended and ordered engrossed. Adjourned.

TWENTY-SECOND DAY, Feb. 1.

After usual forms of opening, receiving a Council message, reports of regular coms., the joint com. on bill relating to jurisdiction of justices of the peace, reported a unanimous agreement that the Council should recede from the petit larceny amendment, and the House concur in the one relating to fines; subsequently the report was adopted by a unanimous vote of 16 ayes.

Messrs Fitzgerald, Mercer, Smith and Taylor, of special com. to whom was referred petition of citizens of Pima and Yavapai for a new county embracing the Gila and Salt River settlements, reported it back and recommended that it be laid on the table. Subsequently the petition came up for action, and by a vote of 9 to 6, it was laid upon the table.

Mr Brinley introduced a bill to amend chap. 45 of Code, Of courts of justice in general and their jurisdiction—afterwards referred to judiciary com.; also a bill fixing time for holding the general election of the Terri-

tory—subsequently referred to com. on elections.

Mr Brinley presented a bill fixing the time of meeting of the Legislature—thereafter referred to com. on elections.

Mr Mercer being called to the chair Speaker Dobbins introduced a bill concerning separate property of the wife and custody of the minor children in certain cases—afterwards referred to judiciary com.

Bill relating to priority of right to administer upon estates of deceased persons, taken up, considered engrossed and unanimously passed by 16 Ayes.

House concurred in council amendments to personal mortgage bill.

House then considered in com. of the whole, the bill to authorize the Governor to raise minute men, amended it so as to permit thirty men to be put in the field, and limiting the amount to be expended therefor to \$3,000.00, and as amended passed by 16 Ayes—Nays, none. Adjourned.

TWENTY-THIRD DAY, Feb. 2.

After opening, the Council substitute for House bill providing salary for Probate judges was taken up and lost, whereupon a com. of conference was requested, and on the part of the House, Messrs Bidwell, Goodwin and Anderson were appointed.

Mr Goodwin stated that urgent business demanded Mr Elias' presence on the Gila River, and leave of absence was granted to him until Feb. 7.

Coms. on engrossment, elections and judiciary made reports, after which, House bill came up to divorce Loreta A. Hewitt, and passed by Ayes—Messrs Anderson, Bidwell, Brinley, Elias, Fitzgerald, Fowler, Goodwin, Melvin, Mercer, O'Neil, Romano, Smith, Taylor, Wilson, Mr Speaker—15. Nays—none.

House bill fixing time of general election, together with favorable report of com. on elections were referred to com. on judiciary; also, House bill fixing time for Legislature to meet, to same com.

House bill concerning separate property of the wife and custody of minor children in certain cases, was considered engrossed and passed by Ayes—Messrs Anderson, Brinley, Elias, Fitzgerald, Fowler, Melvin, O'Neil, Romano, Smith, Taylor, Wilson and Mr Speaker—12. Nays—Mr Mercer—1. Messrs Bidwell and Goodwin were temporarily absent, hence did not vote.

House bill for benefit and protection of insane persons, was considered engrossed and passed by Ayes—15. Nays—none, Mr Morgan being absent.

House bill to define duties and liabilities of Pawnbrokers was considered engrossed and passed by Ayes—15. Mr Morgan was absent.

House bill to amend chap. 45 of Code, relating to courts of justice in general and their jurisdiction, was indefinitely postponed.

Council bill relating to Prescott and Mojave toll-road was indefinitely postponed. Adjourned.

TWENTY-FOURTH DAY, Feb. 3.

After opening, several coms. reported.

Mr Bidwell introduced a joint resolution approving the distribution of public arms by the Governor, and was subsequently referred to com. on Military and Indian affairs.

House bill relating to constructing and maintaining toll roads, bridges and ferries, passed by Ayes—15. Nays—none.

House bill for fixing the time of holding the general election in Arizona passed by Ayes—15. Nays—none.

House bill regulating the time of meeting of the Legislative Assembly passed by Ayes—15. Nays—none.

Council bill relating to town sites was read and referred to judiciary com.

House refused to recede from its amendments to the bill authorizing the Governor to raise a company of minute men. Adjourned.

THE ARIZONA CITIZEN comes to us.

It is published at Tucson, Pima county, by an old newspaper man, John Wasson. It is a live paper, discussing with ability the issues of the day, while it does not fail to keep its readers acquainted with all matters of interest specially belonging to the Territory. We wish Wasson success in his enterprise, and if enterprise and ability are the great requirements necessary to ensure it, Wasson possesses them.—[Vallejo (Cal.) Daily Chronicle.

THE NEVADA STATE REGISTER, besides re-printing a column or more from THE CITIZEN, says:

We have received several copies of The Arizona Citizen, published by John Wasson, formerly Secretary of the Nevada Senate, now located at Tucson. It is a sprightly sheet, full of local intelligence. Wasson is an old newspaper man, and knows what a newspaper really is.

TO THE PUBLIC!

—O.—

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